LEGISLATIVE BUSINESS.

THE TRAVANCORE TRADE UNIONS BILL.

PRESIDENT: The House will now resume consideration of the Travancore Trade Unions Bill proceed with the discussion of the following amendment moved by Mr. M. L. Janardhanan Pillai to Clause 21 of the Bill :—

"In Clause 21, line 1, for the word "two thirds" substitute the word 'three-fourths".

MR. P. S. MAHOMED (*Co-opted*) : തൊഴിലാളി സംഘടനയിൽ തൊഴിലാളികൾ അല്ലാതെ വെളിയിൽനിന്നും പ്രവേശിക്കുന്നവരുടെ സംഖ്യ വളരെ പരിമിതമായിരിക്കണമെന്ന മി. ജനാർദ്ദനൻപിള്ളയെപ്പോലുള്ള മുതലാളിമാർ അഭിപ്രായപ്പെട്ടതിൽ അതിശയിക്കാൻ ഒന്നുമില്ല. വെളിയിൽനിന്നും ധാരാളം ആളുകൾ പ്രവർത്തകന്മാരായി ഇതിൽ ചേരുന്നതു ഉപദ്രവകരമാണെന്നും എനിക്കറിയാം. എന്നാൽ തൊഴിലാളികളുടെ സംഘടന ഇന്നു് ബാല്യദശയിലാണു് ഇവിടെ ഇരിക്കുന്നതു്. അങ്ങിനെ ശൈശവത്തിലിരിക്കുന്ന ഈ സംഘടനയെ വേണ്ടവിധത്തിൽ നയിക്കുന്നതിനു് വെളിയിലുള്ള കുറെ ആളുകളുടെ സഹായം അത്യന്താപേക്ഷിതമാണു്. തൊഴിലാളി സംഘടനയുടെ കാര്യക്ഷമമായ നടത്തിപ്പിനു് ജനകീയഭരണ സംപ്രദായം അത്യന്താപേക്ഷിതമാണു്. സംഘടനകൾ ശരിയായി നടത്തിക്കൊണ്ടുപോകുന്നതിനു നല്ല വിദ്യാഭ്യാസവും പരിചയവും ഉള്ള ആളുകൾ അത്യാവശ്യമാണു്. അക്ഷരാഭ്യാസത്തിൽ നമ്മുടെ രാജ്യം മറ്റു രാജ്യങ്ങളെ അപേക്ഷിച്ചു മുന്നിട്ടുനിൽക്കുന്നുവെങ്കിലും ഈ വിഷയത്തിൽ വളരെ പിന്നോക്കമാണെന്നു പറയാതെ നിവർത്തിയില്ല. ഈ കാരണങ്ങളാൽ തൊഴിലാളികൾക്കു് ശരിയായ പരിശീലനം കൊടുത്തു അവരെ നയിച്ചുകൊണ്ടുപോകുന്നതിനു് തൊഴിലാളികൾ അല്ലാത്ത കുറെ ആളുകൾ വെളിയിൽ നിന്നും ഉണ്ടായിരിക്കേണ്ടതു് അത്യാവശ്യമാണെന്നു കാണാവുന്നതാണു്. അതിനെ അനുസരിച്ചുകൊണ്ടായിരിക്കണം എന്റെ സ്നേഹിതൻ മി. ജനാർദ്ദനൻ പിള്ള ഭാഗം വെളിയിലുള്ളവർക്കു് പ്രവേശനം കൊടുക്കണമെന്നു് ഭേദഗതി കൊണ്ടുവന്നിരിക്കുന്നതു്.

ഈ ബിൽ അവതരിപ്പിച്ച ഘട്ടത്തിൽ അൻപതു ശതമാനം വെളിയിലുള്ളവർക്കു് പ്രവേശനം കൊടുക്കണമെന്നു് നിശ്ചയിച്ചിരുന്നു. അതു ഇന്നു് ബ്രിട്ടീഷിൻഡ്യയിൽ നിലവിലിരിക്കുന്ന ആക്ടിന്റെ തത്വം അനുസരിച്ചാണു്. ബിൽ സിലക്ടു് കമ്മറ്റിയിൽ വന്നപ്പോൾ അൻപതു ശതമാനം കുറെ കൂടുതലായിപ്പോയി എന്നു അഭിപ്രായപ്പെടുകയും ഫൈവ് ആക്കണമെന്നു തീരുമാനിക്കയും ചെയ്തു. അതു് ബ്രിട്ടീഷിൻഡ്യ

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യിൽ നിലവിലിരിക്കുന്ന നിയമത്തിൽ പറഞ്ഞിട്ടുള്ള സംഖ്യയെക്കാൾ വളരെ കുറവാണ്.

MR. P. C. KURIYAN (*Kottayam I*): റായൽ കമ്മീഷന്റെ അനേഷണം തിരുവിതാംകൂറിൽ ഉണ്ടായിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Co-opted*) : തിരുവിതാംകൂറിന്റെ കാര്യം മുഴുവനായിട്ടൊന്നും അതിൽ പറഞ്ഞിട്ടില്ല. എന്നാൽ റായൽക്കമ്മീഷൻ റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുള്ള സംഗതികൾ കൂടുതൽ യോജിക്കുന്നതു തിരുവിതാംകൂറിലെ തൊഴിലാളികൾക്കാണ്. തൊഴിലാളികളുടെ സംഘടനയും മറ്റും ധാരാളം പ്രചാരത്തിലിരുന്ന സമയത്താണ് ആ റിപ്പോർട്ട് സമർപ്പിച്ചിട്ടുള്ളതു്. തിരുവിതാംകൂറിൽ തൊഴിലാളികളുടെ പ്രവർത്തനം അന്നു നാമമാത്രമായിട്ടേ ഉണ്ടായിരുന്നുള്ളൂ. അതുകൊണ്ടാണ് ഔട്ട്സൈഡേഴ്സിന്റെ പ്രവേശനം മുന്നിലൊന്നായിരിക്കണമെന്ന് സിലക്ട് കമ്മറിയിൽ ഭേദഗതി ചെയ്തിട്ടുള്ളതു. മുന്നിലൊന്നോ നാലിലൊന്നോ ആക്കുന്നതുകൊണ്ട് തൊഴിലാളികൾക്ക് യാതൊരു വിപത്തും വരാനില്ലെന്ന് എനിക്കറിയാം. എങ്കിലും സംഖ്യ നിശ്ചയിക്കുന്നതിൽ നാം സ്വീകരിക്കേണ്ട തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തിയാണ് ഞാൻ അതിനെ എതിർക്കുന്നതു്. കാര്യക്ഷമമായ വിധത്തിലുള്ള പ്രവർത്തനം നടത്തണമെന്നേ എനിക്കുദ്ദേശമുള്ളൂ. പ്രിൻസിപ്പിൾ അനുസരിച്ചു് നോക്കിയാൽ ഇന്നത്തെ നില ശരിയാണെന്ന് തോന്നുന്നില്ല. റായൽ കമ്മീഷൻ റിപ്പോർട്ടിൽ ഇങ്ങനെ പറയുന്നു:—

> "The endeavour to dictate to Unions on the subject of their officers or leaders is equally shortsighted and unwise. We have referred to the great difficulties confronting the movement, which make the employment of a proportion of outsiders inevitable. In some cases victimisation, and more frequently the fear of it, gives an additional value to the outsider. The claim to be allowed to deal only with "One's own men" is frequently little more than an endeavour to secure that the case of the men shall be presented by persons who are not likely to prove assertive. In every country much of the active work of Trade Unions, particularly in their relations with employers, is carried on by persons whose livelihood does not depend on the employers' will. We recognise, as do outsiders themselves, the weakness of the position of persons who have no direct experience of industry But this again is mainly a question for the Unions themselves, and we shall deal with it in that connection".

അതുകൊണ്ട് പ്രവേശനം കൊടുക്കുന്ന വിഷയത്തിൽ വെളിയിലുള്ളവരുടെ സംഖ്യ എത്ര എന്നു നിശ്ചയിക്കുമ്പോൾ അതു തീരെ കുറഞ്ഞുപോകാതിരിക്കാൻ ശ്രദ്ധിക്കേണ്ടതു നമ്മുടെ മുമതലയാണ്.

MR. P. C. KURIYAN (*Kottayam I*) : വെളിയിൽനിന്നും വരുന്നവരുടെ പ്രവേശനത്തെ ഭയന്നാണോ രജിസ്ട്രേഷൻ നിർബന്ധിതമാക്കണമെന്നു പറയുന്നതു്.

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MR. P. S. MAHOMED (*Co-opted*) : അല്ലാ. സംഘങ്ങൾക്ക കാര്യക്ഷമതയോടുകൂടി പ്രവർത്തിക്കുന്നതിനതക്ക ഒരു അന്തരീക്ഷം തിരുവിതാംകൂറിൽ ഉണ്ടായിരിക്കണമെന്നുള്ള ആഗ്രഹംകൊണ്ടാണ് രജിസ്ട്രേഷൻ നിർബന്ധിതമാക്കണമെന്നു പറയുന്നത്.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I rise to support the amendment. When we deal with these several Bills connected with labour legislation we shall not forget one fact. That is, the position of capital in this country. Sir, it has been represented on the floor of the House that the condition of labour in this country and elsewhere is deplorable. But what about the state of capital in this country? That is the point I wish to emphasise. After all, excepting a few factories owned by Europeans and a few big capitalists, we should say that generally the position of capital in this country is equally deplorable, if not worse.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the honourable member realises that the Trade Union Act applies both to employers as well as labourers?

MR. K. M. KURIAKOSE (*Muvattupuzha II*) That is exactly my point. But there is a feeling in this House that labour requires more encouragement, more protection than capital. It is to that feeling that I want to draw the attention of the House. Sir, our country entered into the field of industry only very recently. As such, both capital and labour should be protected from the same standard, if not on unequal basis. On account of our inabillty to provide funds to finance big industrial concerns, we are inviting foreign capital into our country, so that the balance of protection should be on the side of the capitalists. If only capital is well protected we can attract foreign capital It should be a serious question before all the members of this Legislature.

With regard to the proportion of fixing outsiders in Trade Unions, personally, I do not think there is any necessity of having outsiders in any Trade Union at all. But considering the fact that Trade Unions are in their infancy and are only going to come up and that there are not very many experienced labourers to form themselves into Unions we can allow a certain proportion, and I contend that that proportion should only be just what is necessary to guide them in the proper line.

Sir, it has been pointed out more than once on the floor of this House, that it is often the outside elements that create disturbance and brings about conflicts between the employer and the labourers. The so called leaders and politicians often interfere in trade disputes uninvited and stand in the way of any settlement. Sir, had we not a living example of this kind in our discussion with regard to the registration of Trade Unions yesterday? I could not understand the position of certain members when they seemed to fight very vehemently for labour interest even when the representative for labour was satisfied with the necessity of registration. To me, Sir, it appeared that either Government went wrong in co-opting the proper member to represent

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labour or that the member so appointed betrayed the cause entrusted to his care. It has been pointed out very clearly that we have in this House, nominated by the Government, accredited representatives both of labour and of capital. Now, in a point on which such representatives of labour and capital are agreed, we find others coming in to champion the cause, of labour.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I ask the member whether we are here legislating or arbitrating?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): That is exactly my point. We do not need any arbitration, since the parties themselves are agreed. We have to take an impartial view of the question. There is no need for outsiders to come in and create any disturbance. I too therefore think that the maximum percentage of outsiders might be fixed at 25. I therefore support the amendment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to oppose the amendment moved by Mr. Janardanan Pillai. I agree that there is nothing wrong in the principle involved in the amendment: because my friend Mr. Janardhanan Pillai himself concedes that there is necessity, at any rate for some time to come, for the outside element, so far as labour in Travancore is concerned. I may point out to the House that even in British India, according to the law now in force, even after the recommendations of the Royal Commission on Labour, outsiders are allowed to hold 50 per cent. of the offices in labour associations. My friend Mr. Janardhanan Pillai quoted with approval my statement that labour in Travancore was more educated and contented and that therefore there was less necessity for the outside element in labour organisations here. I did say, Sir, that labour in Travancore was more educated. But education in arts does not mean education in organisation which is the important factor here. Travancore is as yet new to labour organisations, and to negotiations between labour and capital interests. Once we grant that it is that kind of education that we require, I am sure it will be admitted that the Trade Unions in British India which have been working for the last 10 years and more, are in a better position in this respect than we here who cannot boast of any such organisation for any period.

Another point that I wish to submit in this connection is this. If I remember right, this proportion of two thirds was suggested before the Select Committee by the representative of the employer himself.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): May I remind the member that it was Mr P. S. Mahomed who suggested that proportion of two-thirds, and not I.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I stand corrected, Sir; but my friend was also in the Select Committee, and it was open to him to have moved for three-fourths instead of two-thirds even in the Select Committee. He did not do that.

PRESIDENT: Proceedings before the Select Committee need not be referred to.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): A word of explanation, Sir. When I signed the Select Committee report, I distinctly stated there that I was signing subject to the amendments to be moved by me here.

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MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): For a moment, I am not contesting the right of the member to move amendments. After all it does not make much difference whether it is two-thirds or three-fourths, because the principle is going to be the same.

Sir, my friend read out a portion from the Report of the Royal Commission on Labour, but more significantly he omitted to read certain other portions of the Report. It is stated at page 328 of that report.

> "A few of these have interested themselves in the movement in order to secure private and personal ends."

That sentence alone was quoted by my friend. He did not care to read even the very next line. Obviously, he must have had his own reasons. The very next sentence runs thus :—

> "The majority, however, are actuated by an earnest desire to assist labour. The work involving much toil and many discouragements, is nearly always unpaid, and brings more criticism than thanks. Our survey of the position will, we hope, show sufficiently clearly how necessary the assistance of these men has been in the past."

MR. M. L. JANARDANAN PILLAI (*Co-opted*) : May I ask whether that commendable reference there, to the outsider, does not relate to British India ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): This report, it is very well known, refers only to British India and not to any Indian State. That is obvious on the face of it. But if my friend can quote with approval a portion of the report which also refers only to British India, and apply it to Travancore, I fail to see the justification, the fairness or the reasonableness of my friend putting me this question when I am just quoting the further sentence to disabuse the misapprehension created by his quoting partly and suppressing greatly which, I must say, is very unfair even in controversy.

My friend, the labour member, also read certain portions from the report to show that the Royal Commission recognised the need for outside element for leading Trade Unions. He stated as one of the reasons for the outside element that those who are actually employed under the capitalists will not be assertive enough, will not be independent enough if they care for their job, to talk on equal terms with the employer. It was under such circumstances that outside element was considered to be absolutely necessary.

My friends have been saying so much about the interference, in Travancore, by outsiders with regard to labour organisation. So far as I know, Sir, in Travancore, not even 2 per cent. in the executive of the labour organisations here are outsiders. In fact there are not sufficient men coming forward to interest themselves in this thankless and difficult task. It has been stated that the outsider has created all sorts of difficulties in Travancore. That is quite opposed to facts. Sir, all the members of this House bemoan the loss of Mr. Lampard of blessed memory, who was a member of this House and with whose firm in Quilon, I had something to do in connection with labour troubles there. Sir, had he been alive, I am sure he would have testified to the fact that outsiders have always been of help to the employer

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and have been able to bring about concord between the employer and the employee. There might have been occasions—I do not deny that—when political leaders might have created trouble and stirred up bad blood. But, such things happen every where and are not peculiar to Travancore. As the Royal Commission itself has pointed out, in British India also there have been such occasions. But that is no reason why we should fight against the principle of admitting the outsider altogether.

I do not think, Sir that this amendment is necessary, especially in view of the recommendation of the Royal Commission on Labour. They said that their recommendations must be put into effect only three years after the publication of the report; because, they thought that the law then in force had not been tried sufficiently long. Three years have now gone; yet the Trade Union law there, has not been changed. Here, we have gone a step in advance in restricting the percentage of outsiders to one-third.

Apart from that, I think the amendment is innocuous. It is not of any great use either to the employer or to the employee. I think we ought to keep in conformity with the legislation in British India as far as possible, and therefore hope that the proportion suggested by the Royal Commission will be accepted by my friend, the representative of the employers as well.

I do not think it is necessary to answer the point raised by Mr. Kuriakose.

MR. S. J. NAIR (*Nedumangad*): What does the member mean by 'outsider'? Does he refer to persons outside the movement, or persons who do not belong to Travancore?

MR. K. KUNJUKRISHNA PILLAI (*Quilon 1*): The word 'outsider' has got a meaning when you use it in connection with this matter; it refers to those who are not connected with any industry or labour organisation.

MR. M. SIVATANU PILLAI (*Tovala*): I support the amendment. In the first place I do not understand why this amendment must be so seriously objected to, while after all the difference between two-thirds, as provided in the Clause as it is, and three-fourths, as suggested by the amendment, is only one-twelfth. I was wondering why there must be so much debate on this small difference when everybody is agreed as to the principle involved in the matter.

As far as I have been able to follow the debate, the arguments for the objection have been hung mainly on the report of the Royal Commission, in respect of the proportion that they have suggested. It has also been suggested that, in Travancore, labour organisation is in its infancy. To my mind, Sir, this question involves two principles, one is whether it is in the interests of labour that outside element is admitted, and the other is whether labour should be given the choice in the matter

In regard to the first, it has been argued that because labour was in its infancy here, outside element must be admitted in order to guide

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[Mr. M. Sivathanu Pillai.]

labour in the country. If that is all that is wanted, why not be satisfied with half-a-dozen leaders? All that the movement needs, I suppose, are five or six selfless workers who are really interested in the movement. Therefore, I do not see why there should be more than ten per cent. in any event. In our schools, Sir, we provide only one teacher for every 45 pupils. Therefore, certainly, we should be satisfied with one leader, one guide, for every ten labourers. Why should there be this two-thirds provided for in the Clause as it is, or even the three-fourths as suggested by the amendment? After all, Sir, we have not got much of labour organisations in Travancore. We have it only in a few towns like Alleppey and Quilon. It is therefore quite enough if we have a leader or two for each one of these places. Only we should have really selfless and patriotic men, other than some of those busy-bodies who unnecessarily poke themselves into these organisations for objects of their own and create mischief and unrest among labour. In British India labour organisations cover a very wide field of activity so much so that it may be possible to cover them by more number of officers than here. As a matter of fact, we do not find such patriotic men coming forward for this kind of work, to help and guide labour.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does the member realise that the provision now under discussion relates to the proportion among the officers of these organisations and not among the general members of such organisations?

MR. M. SIVATANU PILLAI (*Tovala*): Yes. Officers must be few. Where is the meaning in multipying the number of officers? As it has been already pointed out, labour in Travancore is not only literate but also highly educated. Our labourers are able to differentiate between what is good for them and what is bad. It is therefore better that we restrict the proportion of outside element as much as possible. With these words, I strongly support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Having heard both sides of the question, I am inclined to accept the amendment. The outsider seems to be viewed with some kind of suspicion by the employer interests. The employer does seem to be a bit ticklish about the outsider coming in. I may say that the presence of the outsider is necessary for guidance, inspiration and enlightenment. Mr. Kunjukrishna Pillai, who, we all know, interests himself much about labour conditions in Travancore, just now said that at present there was not even 2 per cent. of outsider element in the labour organisations. We have also heard him say that Travancore labour is more educated than elsewhere. He also added that there was nothing objectionable in the principle involved in the amendment. In the light of these facts, since the employer seems to look at the outsider with some suspicion, I am rather inclined to accept the amendment. The outsider is needed, as I said, for inspiration, enlightenment and intiative only. But the effective judgment must always be with the

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insider. If the House is agreeable to that, I hope the amendment may be accepted.

The amendment was put to the vote of the House and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move the following amendment:—

"In line 3, for the word "industry" substitute the word "business"

It seems to me, Sir, that it would be more correct and uniform to put the word 'business' instead of 'industry'. Hence the amendment.

MR. A. THANU PILLAI (*Trivandrum—Rural*): The word 'industry' occurs in Clause 6 (*c*). That has not been changed. Why this change here alone?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are here dealing with "outsider" and "insider". I thought it would be more in conformity with the definition of "Trade Union" if we put "business" instead of "industry" here. I leave it entirely to the House.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The amendment was put to the vote of the House and carried.

Clause 21, as amended, was then put to vote and carried.

The Clause as amended was added to the Bill.

Clauses 22 to 29.

The question that Clauses 22 to 29 do stand part of the Bill was then put to vote and carried.

The Clauses were added to the Bill.

Clause 30.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move the following amendment:

"For sub-clause (1) substitute the following, namely:—

30 (1) Whoever forms any Trade Union in contravention of the provisions of Section 14, sub-section (2), or takes any part in the functions of any Trade Union so formed knowing or having reason to believe that it has been so formed shall for every such act be punishable with fine which may extend to five hundred rupees."

This amendment does not seek to carry out anything more than what is already contained in sub-clause (1). I must say, Sir, that I am thankful to the House for their cirticism of this Clause when debating on another point. Those criticisms led me to study this Clause more carefully and it seems to me that this amended provision would be better.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The amendment was put to the vote of the House and carried.

The question that Clause 30, as amended, do stand part of the Bill was then put to vote and carried.

The Clause as amended was added to the Bill.

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Clauses 31 and 32.

The question that Clauses 31 and 32 do stand part of the Bill, was then put to vote and carried.

The Clauses were added to the Bill.

Preamble.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I beg to move that —

The word 'compel' be substituted for the words 'provide for' in line 1 of the Preamble.

I submit, Sir, that the word 'compel' will more correctly express the idea of the provisions of the Bill than the words 'provide for'. The Preamble ought to state clearly and unambiguously what the purpose of the Bill is. That is all the object of my amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment, Sir. If the Bill had contained only Clause 14 (2), I could have very well understood my friend's amendment and I would have thanked him for it, and accepted it. But the Bill contains thirty-two Clauses which do much more than compel, as my friend would put it. I am quite sure that Mr. Kunjukrishna Pillai has nothing in his mind against the ruling of the Chair, which ruled that the expression "provide" in the Preamble would cover "compel".

I may however add, Sir, that the expression 'provide for' is more comprehensive and more correct. It *includes* compulsion also.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, there is no use in trying to confuse the issues. This Bill is intended to provide for the compulsion of every Trade Union to get itself registered. There is no use in saying that there are other provisions also in the Bill. If the Bill contains other provisions there are also other portions of the Preamble which relate to such provisions of the Bill. I now seek to amend only that portion of the Preamble which relates to the provisions regarding the registration of Trade Unions. And, such a provision in the Bill is nothing but compulsion. Therefore it is I say that the Preamble would be giving an accurate idea of the provision in the Bill only if we substitute the word 'compel' for the words 'provide for'.

MR. P. C. KURIYAN (*Kottayam I*): Is the member in order, Sir, in making this speech now?

PRESIDENT: He was in order in moving the amendment; and I have given him the right to reply.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I do not for a moment deny that the words 'provide for' include compulsion also. But what is the harm in putting the most accurate expression? Why should you fight shy of it? You are providing a penalty for an association functioning without registration. You are therefore compelling every association to get itself registered. Why not the Preamble also make that clear. Why should you feel funky about it? There is no such thing as my questioning the ruling of the Chair. Absolutely nothing of the kind. The Law Member must not fight shy of indicating clearly and definitely what has been done. The Government and the Law

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Member mast take upon themselves the responsibility for what has been done, and must not hesitate to use the most accurate expression in the Preamble.

PRESIDENT: I think the honourable member means thereby that the House must not fight shy of it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes, Sir, and the Law Member also should not induce the House to fight shy of putting the proper word in the Preamble. They must make bold to accept the conclusion to which they have committed themselves They must have the courage of their convictions and if they have it, the proper word for putting in the Preamble to this Bill is "compel" instead of "provide for." I am also helping the labourers by putting that word, because they will easily know what this Bill is.

PRESIDENT: Moved and seconded that the word "compel" be substituted for "provide for" in line 1 in the Preamble of the Trade Unions Bill.

The amendment was put to the vote of the House and lost.

The question that the Preamble do stand part of the Bill was put to vote and carried.

The Preamble was added to the Bill.

TITLE.

The Title was put to vote and carried.

The Title was added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have some amendments to move in the third reading of the Bill. With the permission of the House and the Chair I beg to move that the third reading of the Bill be taken up now.

PRESIDENT: If the sense of the House is that the third reading could be proceeded with now, the Law Member may move the motion.

(The House agreed.)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to make the following amendment:—

"*In Clause 11, sub-clause (3), for the words "recovered as if they had been awarded in an appeal under the said Code", substitute the words "recoverable by any Civil Court directed by the High Court as if they were payable under a decree of such Civil Court".*

I move this amendment in order to make clear as to which authority should recover the costs. No definite provision is laid down in the Bill in respect of this matter. In Civil Courts when the original case is tried by the subordinate courts such courts will execute the order of the appellate authorty. In this Bill there is no such subordinate court. I should say that I thank Mr. Thanu Pillai for having drawn my attention to this aspect of it. I trust that the House will accept the amendment.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

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PRESIDENT: The question before the House is that in Clause 11, sub-clause (3) for the words "recovered as if they had been awarded in an appeal under the said Code", substitute the words "recoverable by any Civil Court directed by the High Court as if they were payable under a decree of such Civil Court."

The amendment was put to the vote of the House and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the Bill as amended be passed into law.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

PRESIDENT: The motion before the House is that the Bill be passed into law.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): On a point of order. After the third reading, the Bill, has to pass through another stage so that it may begin its operation? Therefore may I submit that the Bill be passed is the correct procedure to be adopted.

PRESIDENT: Yes.

The motion before the House is that the Bill as amended be passed.

The motion was carried and the Bill was passed.

THE TRAVANCORE LIFE ASSURANCE COMPANIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to present the report of the Select Committee on the Travancore Life Assurance Companies Bill and beg to move that the Bill as reported be taken into consideration.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The motion was carried.

Clauses 1 to 3.

The question that Clauses 1 to 3 do stand part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

[At this stage the Deputy President occupied the Chair.]

Clause 4.

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): I beg to move:—

"*In Clause 4, sub-clause (1) line 6, substitute "ten" for "twenty-five"*.

Clause 4 relates to deposit that an Insurance Company has to make, to start with. In the case of Companies that are functioning from the commencement of this Regulation they must make a deposit of Rs. 25,000. This process of depositing must continue till the deposited sum comes to Rs. 2 lakhs. In British India when the Bill was first introduced there was a great protest from the public and the Select Committee found it necessary to reduce Rs. 1 lakh to Rs. 25,000. Sir, in Travancore the conditions are much worse than in British India. In British India there may be a good number of capitalists who may be

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